Examiner's Amendment

1.   An examiner's amendment to the record appears below. Should the

changes and/or additions be unacceptable to applicant, an amendment may be

filed as provided by 37 CFR 1.312. To ensure consideration of such an

amendment, it MUST be submitted no lather than the payment of the issue fee.

2.   Authorization for this examiner's amendment was given in a telephone

interview with Mr. Bob Villhard, on 3/11/09.

3.   The claims have been amended as follows:

24.   In a computer system having a first set of resources <u>and a second</u>

<u>set of resources including an amount of each resource, wherein the</u>

<u>amount being specified in terms of units specific to each resource in the</u>

<u>set of resources</u> and a resource planner for granting reservations of

amounts of currently available resource to activities, a computer

implemented method comprising:

    <u>submitting</u> by an activity a request for a reservation of <u>the</u> second

set of resource in specified amounts to the resource planner;

    <u>determining</u> at the resource planner that the request cannot be

granted;

    <u>returning</u> from the resource planner to the activity a list, the list

including an amount of each currently available resource that satisfied the

resource reservation request and an amount of each currently available

resource that did not satisfy the resource reservation request, the amounts

being specified in terms of units specific to each resource in the set of

resources;

determining at the activity whether the amounts of each currently

available resource ~~that did not~~ satisfy the resource reservation request

and will allow the activity to execute predictably ~~are acceptable~~;

executing the activity when the resource reservation request is

satisfy, otherwise, when the amount of each currently available resource

do not satisfy the resource reservation request, reformulating the request

for a reservation of the set of resources to a new specify requested

amounts using the amounts of each currently available resource in the list

~~using at the activity, the amounts of each currently available resource that~~

~~did not satisfy the resource reservation request to reformulate the request~~

~~for a reservation of the set of resource to specify new request amounts~~;

resubmitting the reformulated request to the resource planner;

executing the activity using the new amounts; and

in view of changing resource usage or requirement, renegotiating

between the resource planner and the activity to change the resource

reservation to reflect the changing resource usage or requirement,

wherein the method is implemented with hardware.

25.   In a computer system having a set of resource <u>including an amount</u>

<u>of each resource, wherein the amount being specified in terms of units</u>

<u>specific to each resource in the set of resources</u> and a resource planner

for granting reservations of amounts of currently available resource to

activities, a computer implemented method comprising:

negotiating between the resource planner and activities to reserve

shares of the resource with the resource planner on behalf of the

activities, wherein the reservation of resource is negotiable;

submitting by an activity a request for a reservation of the set of

resource in specified amounts to the resource planner;

determining at the resource planner that the request cannot be

granted;

in view of changing resource usage or requirements, renegotiating

between the resource planner and the activities to change reservations of

resource on behalf of the activities to reflect the changing resource usage

or requirement, wherein the renegotiating includes returning from the

resource planner to the activity a list, the list including an amount of each

currently available resource that satisfied the negotiable resource

reservation request and an amount of each currently available resource

that did not satisfy the negotiable resource reservation request, wherein

the renegotiating is based on the amount of each currently available

resource, the amounts being specified in terms of units specific to each

resource in the set of resources;

wherein renegotiating further includes determining at the activity

whether the amounts of each currently available resource <u>satisfy the</u>

<u>resource reservation request</u> and will allow the activity to execute

predictably<u>;</u>

<u>executing the activity when the resource reservation request is</u>

<u>satisfy, otherwise</u> when the amount of each currently available resource

do not satisfy the resource reservation request, <u>reformulating the request</u>

<u>for a reservation of the set of resources to a new specify requested</u>

<u>amounts using the amounts of each currently available resource in the list;</u>

resubmitting the reformulated request to the resource planner;

executing the activity using the new amounts<u>, wherein the method</u>

<u>is implemented with hardware.</u>

26. The method of claim 25 wherein the changing resource usage or

requirements are the product of a new activity being performed.

27. The method of claim 25 wherein the changing resource usage or

requirements are the product of an activity changing its resource

requirements.

28. The method of claim 25 wherein the changing resource usage or

requirements are the product of an activity no longer being performed.

29. The method of claim 25 wherein the changing resource usage or

requirements are the product of a persistent overload of use of a resource.

30. The method of claim 25 wherein the changing resource usage

requirements are the product of a change in resource allocation policy.

31.   In a computer system having a first set of resource and a second

set of resources including an amount of each resource, wherein the

amount being specified in terms of units specific to each resource in the

set of resources and a resource planner for granting reservations of

amounts of resources to activities, a computer-implemented method

comprising:

submitting a request for a reservation for the second set of

resource in specified amounts from an activity to the resource planner;

determining at the resource planner that the request cannot be

granted;

when the request cannot be granted, returning from the resource

planner to the activity a list, the list including an amount of each currently

available resource that satisfied the resource reservation request, and an

amount of each currently available resource that did not satisfy the

resource reservation request, the amount being specified in terms of units

specific to each resource in the set of resource;

determining at the activity whether the amounts of each currently

available resource satisfy the resource reservation request and will allow

the activity to execute predictably;

executing the activity when the resource reservation request is

satisfied, otherwise, reformulating the resource reservation request for a

reservation of the set of resource to a new specify requested amounts

using the amounts of each currently available resource in the list;

resubmitting the reformulated request to the resource planner;

executing the activity using the new amounts; and

in view of changing resource usage or requirement, renegotiating

between the resource planner and the activity to change the resource

reservation to reflect the changing resource usage or requirement,

wherein the method is implemented with hardware.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to CAMQUY TRUONG whose telephone

number is (571)272-3773. The examiner can normally be reached on 9:00am -

5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Meng Ai An can be reached on (571)272-3756. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/   Camquy Truong
Supervisory Patent Examiner, Art Unit 2195

                                                                  March 11, 2009